

HOUSE BILL 1332

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2004 Regular Session
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By: **Delegate Conroy**
Introduced and read first time: February 16, 2004
Assigned to: Rules and Executive Nominations
Re-referred to: Ways and Means, March 1, 2004

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 26, 2004

CHAPTER _____

1 AN ACT concerning

2 **Motor Homes and Travel Trailers - Vehicle Excise Tax - Definitions - ~~Repeal~~**
3 **Extension of Sunset**

4 FOR the purpose of ~~repealing~~ extending the termination of certain provisions that
5 alter the definitions of "fair market value" and "total purchase price" for
6 purposes of the vehicle excise tax imposed on a motor home or a travel trailer to
7 exclude from the computation of the tax, subject to a certain limitation, the
8 value of a motor home or travel trailer traded as part of the consideration for the
9 sale; ~~repealing~~ extending the termination of certain provisions that provide that
10 certain definitions do not apply to the calculation of the vehicle excise tax
11 imposed on a motor home or a travel trailer until certain bonds are no longer
12 outstanding and unpaid; requiring the Department of Transportation to submit
13 a certain report by a certain date; and generally relating to travel trailers and
14 motor homes.

15 BY repealing and reenacting, without amendments,
16 Article - Transportation
17 Section 13-809(a)
18 Annotated Code of Maryland
19 (2002 Replacement Volume and 2003 Supplement)

20 BY repealing and reenacting, without amendments,
21 Chapter 361 of the Acts of the General Assembly of 2001
22 Section 3

23 BY repealing and reenacting, with amendments,

1 Chapter 361 of the Acts of the General Assembly of 2001
2 Section 5

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
4 MARYLAND, That the Laws of Maryland read as follows:

5 **Article - Transportation**

6 13-809.

7 (a) (1) In this section the following words have the meanings indicated.

8 (2) "Fair market value" means:

9 (i) Except as provided in item (iv) of this paragraph, as to the sale
10 of any new or used vehicle by a licensed dealer, the total purchase price, as certified
11 by the dealer;

12 (ii) As to a used vehicle that is sold by any person other than a
13 licensed dealer and that has a designated model year that is 7 years old or older, the
14 greater of:

15 1. The total purchase price; or

16 2. \$640;

17 (iii) As to any other used vehicle that is sold by any person other
18 than a licensed dealer:

19 1. The total purchase price, if the total purchase price is less
20 than \$500 below the retail value of the vehicle as shown in a national publication of
21 used car values adopted for use by the Department; or

22 2. If the total purchase price is \$500 or more below the retail
23 value of the vehicle as shown in a national publication of used car values adopted for
24 use by the Department:

25 A. The total purchase price, if verified to the satisfaction of
26 the Administration by a notarized bill of sale submitted in accordance with subsection
27 (d)(2) of this section; or

28 B. The valuation shown in the national publication of used
29 car values, if the Administration finds that the documentation submitted under
30 subsection (d)(2) of this section fails to verify the total purchase price;

31 (iv) As to the sale of any new or used motor home or travel trailer by
32 a licensed dealer, or a dealer licensed by another state or a foreign country, the total
33 purchase price, as defined in paragraph (4)(ii) of this subsection, as certified by the
34 dealer on a form acceptable to the Administration; and

1 (v) In any other case, the valuation shown in a national publication
2 of used car values adopted for use by the Department.

3 (3) "Motor home" has the meaning stated in § 11-134.3 of this article.

4 (4) "Total purchase price" means:

5 (i) Except as provided in item (ii) of this paragraph, the price of a
6 vehicle agreed on by the buyer and the seller, including any dealer processing charge,
7 with no allowance for trade-in or other nonmonetary consideration; and

8 (ii) In the case of a motor home or travel trailer, the price of the
9 motor home or travel trailer agreed on by the buyer and the seller less the value, not
10 to exceed the value shown in a national publication of used motor home and travel
11 trailer values adopted for use by the Department, of any motor home or travel trailer
12 that is traded in as part of the consideration of the sale.

13 (5) "Travel trailer" has the meaning stated in § 11-170 of this article.

14 **Chapter 361 of the Acts of 2001**

15 SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding the
16 provisions of Section 1 of this Act, the modified definitions of "fair market value" and
17 "total purchase price" for the purposes of the calculation of the motor vehicle excise
18 tax imposed on a motor home or a travel trailer under § 13-809(a) of the
19 Transportation Article as enacted under Section 1 of this Act do not apply until any
20 Consolidated Transportation Bonds that were issued by the Department of
21 Transportation before July 1, 2001 no longer remain outstanding and unpaid;
22 provided however, that in any fiscal year for which funds are appropriated by the
23 General Assembly to pay the principal of and interest on the Department of
24 Transportation's Consolidated Transportation Bonds due and payable in that fiscal
25 year, the Motor Vehicle Administration shall collect the reduced motor vehicle excise
26 tax imposed on a motor home or travel trailer by utilizing the modified definitions as
27 enacted under Section 1 of this Act.

28 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 July 1, 2001. {Sections 1 and 3 of this Act shall remain effective for a period of ~~3~~ 6
30 years and, at the end of June 30, ~~2004~~ 2007, with no further action required by the
31 General Assembly, Sections 1 and 3 of this Act shall be abrogated and of no further
32 force and effect.}

33 SECTION 2. AND BE IT FURTHER ENACTED, That the Department of
34 Transportation shall track the value of trade-ins of motor homes and travel trailers
35 for purposes of determining the impact of this Act on vehicle excise tax revenues. The
36 Department shall submit, in accordance with § 2-1246 of the State Government
37 Article, a report to the fiscal committees of the General Assembly on the impact to the
38 Transportation Trust Fund and economic benefits of this Act no later than October 1,
39 2006.

1 SECTION ~~2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
2 effect June 1, 2004.